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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,762	07/11/2000	Francis E. DiBacco	10334-1US	5114

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/618762	Applicant(s) DiBano	
Examiner Aker, J	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/11/00
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-36 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-36 are rejected under 35 USC 103(a) as unpatentable over Tedesco(US Pat. No: 6,282,523) in view of Lawlor(US Pat. No:6,202,054) and further in view of Hyde(US Pat. 6,038,553).
4. As per claims 1-36 Tedesco teaches a method for processing checks to reserve funds (Abstract) (Figs 1-11C)(col 1 line 19-col 3 line 47) including a payee a bank and an account holder(Fig 1/12/14/16) and an accounts database(Fig 2/32/34) and a freserved checks database.Tedesco teaches available and unavailable balances for money reserved against charges and checks(Fig 3).Tedesco also teaches a reserved checks database(Fig 4) and reserving a check(Fig 5) and claiming a check associated with a code(Fig 7) and processing a request to pay on a check(Fig 9) and processing commands between the payee and bank and account holder and bank(Figas 11A/11B/11C). Lawlor teaches a method of delivery of retail banking services(Abstract)(Figs 1-22)(col 1 line 29-col 16 line 29) including using the Federal Reserve

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Automated Clearing House(Fig 1/72) and settlement and reporting(Fig 1A) as well as bank float income(Fig 2) and income associated with different sources(Fig 2).Lawlor also teaches a main menu consisting of paying bills,transferring funds(Fig 9/388) as well as storing past payments(Fig 9/356) and identifying users(Fig 10) and transferring funds(Fig 12/393) and processing bills(Fig 12/392) as well as bill processing and correction(Fig 13) and providing account balances(Fig 13/502) and paying bills(Fig 13/504) and processing bill payments(Fig 14A) as well as a schedule of paying bills and bill processing for the bank for charge records(Fig 14B)(Fig 14C) and pay next sequencing(Fig 14D) and payment dates(Fig 16A) and verification for paying bills and bill correction(Fig 17A) and checking balances(Fig 18). Lawlor also teaches other bank services for bank charges(Fig 19/754/758)(Fig 20B/832)(Fig 20D)(Fig 21A)(Fig 21B/994) and updating the records for charges and balances(Fig 22/1029). Hyde teaches a self service method for cashing checks(Abstract)(Figs 1-10)(col 1 line 65-col 2 line 32) including as customer service module,teller module,administration module, transaction module(Fig 1/13/15/27/23) and new check registration(Fig 4/65) and scanning checks(Fig 5) for any errors(Fig 7A) as well as the customer accepting the fee for the bank charges for processing the check(Fig 7B/143/141/147) as well as the fee accepted and recorded(Fig 8).It would have been obvious to one skilled in the art at the time of the invention to combine Tedesco in view of Lawlor and further in view of Hyde to teach applicant's disclosure. The motivation to combine Tedesco in view of Lawlor is to teach a method for processing checks in the context of a highly advantageous system which offers an attractive option to a variety of payments systems

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participants as enunciated by Lawlor(col 16 lines 19-29).Also,The motivation to combine Tedesco in view of Lawlor and further in view of Hyde is to teach a method for processing checks in an advantageous means which includes a check cashing server which incorporates check cashing reports as enunciated by Hyde(col 3 lines 3-20) with appropriate fees(Fig 7B/141-147).

Conclusion

5. **THIS ACTION IS MADE NON-FINAL.**

6. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

August 27, 2003

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER